

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
SOUTHEASTERN DIVISION**

HERMAN C. SMITH JR.,

Plaintiff(s),

v.

BRANDI JUDEN, et al.,

Defendant(s).

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No. 1:16-CV-00045-SNLJ

**MEMORANDUM AND ORDER**

This matter is before the Court on plaintiff's pro se complaint [Doc. 1]. The complaint is defective because it has not been drafted on a Court-provided form, *see* Local Rule 2.06(A), and because plaintiff has neither paid the filing fee nor submitted a motion to proceed in forma pauperis along with a prison account statement, *see* 28 U.S.C. § 1915(a).

Accordingly,

**IT IS HEREBY ORDERED** that the Clerk shall mail to plaintiff a copy of the Court's form Prisoner Civil Rights Complaint.

**IT IS FURTHER ORDERED** that the Clerk shall mail to plaintiff a copy of the Court's Motion to Proceed in Forma Pauperis - Prisoner Cases.

**IT IS FURTHER ORDERED** that plaintiff shall file an amended complaint on the Court-provided form within (30) days of the date of this Order.

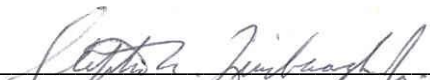
**IT IS FURTHER ORDERED** that plaintiff shall either pay the \$400 filing fee or submit a motion to proceed in forma pauperis within thirty (30) days of the date of this Order.

**IT IS FURTHER ORDERED** that if plaintiff submits a motion to proceed in forma

pauperis, he must also submit a certified copy of his prison account statement for the six-month period immediately preceding the filing of his complaint.

**IT IS FURTHER ORDERED** that if plaintiff fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice. If the case is dismissed, the dismissal will not constitute a "strike" under 28 U.S.C. § 1915(g).

Dated this 11th day of March, 2016.

  
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**STEPHEN N. LIMBAUGH, JR.**  
**UNITED STATES DISTRICT JUDGE**